

## Message Text

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ACTION SS-25

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FM AMEMBASSY MANAGUA  
TO SECSTATE WASHDC IMMEDIATE 5311

S E C R E T SECTION 1 OF 2 MANAGUA 0080

EXDIS

FOR TODMAN FROM AMBASSADOR

E.O. 11652: GDS  
TAGS: SHUM, PGOV, MASS, NU  
SUBJECT: YOUR MEETING WITH SOMOZA

SUMMARY: YOUR MEETING WITH PRESIDENT SOMOZA WILL REPRESENT AN IMPORTANT OPPORTUNITY TO GIVE IMPETUS TO OUR PAST EFFORTS TO ADVANCE RESPECT FOR HUMAN RIGHTS IN NICARAGUA AND, IN PARTICULAR, TO PROMOTE STEPS TOWARD INSTITUTIONALIZED DEMOCRACY IN THIS COUNTRY. INSTITUTIONALIZATION IS IMPORTANT BECAUSE THE POLITICAL HISTORY OF NICARAGUA SHOWS PERIODS OF IMPROVING RESPECT FOR CONSTITUTIONAL NORMS AND HUMAN RIGHTS BEING RAPIDLY REVERSED UNDER PRESSURES FOR POLITICAL CHANGE. SOMOZA MAY BE EXPECTED TO RAISE OTHER ISSUES SUCH AS PAST MUTUAL COOPERATION, CUBAN-BACKED TERRORISM, ALLEGED PRO-CUBA, ANTI-NICARAGUA U.S. POLICY AND LEFTIST-BACKED PROPAGANDA AGAINST THE GON, BUT HE ALSO WILL BE INTERESTED IN LEARNING FROM YOU WHAT SPECIFIC STEPS HE CAN TAKE WHICH THE U.S. WILL INTERPRET AS REQUISITE FOR IMPROVED RELATIONS. HE MAY BE EXPECTED TO BE INTERESTED IN YOUR EXPLANATION OF HOW THE US HUMAN RIGHTS POLICY AFFECTS ECONOMIC AND MILITARY ASSISTANCE PROGRAMS, US ATTITUDES TOWARD THE PROPOSED "NATIONAL DIALOGUE," AND THE NEXT PRESIDENTIAL ELECTIONS. THESE ISSUES WILL ALSO CONSTITUTE THE AGENDA FOR YOUR MEETINGS WITH THE OPPOSITION BUT SHOULD BE CAREFULLY DEVELOPED SO AS TO REINFORCE THE MESSAGE THAT THE NICARAGUANS THEMSELVES, NOT THE US, ARE RESPONSIBLE

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FOR THE POLITICAL FUTURE OF NICARAGUA. END SUMMARY

1. THE FOLLOWING POINTS COVER THE ISSUES WHICH WE BELIEVE SHOULD BE COMMUNICATED TO SOMOZA. THE MOST IMPORTANT ISSUE (DEMOCRATIC CHANGE) IS THE THIRD ISSUE. WE BELIEVE THE PRECEDING POINTS SHOULD BE DISCUSSED FIRST TO LAY THE GROUNDWORK AND PROPER ATMOSPHERE FOR THE PRINCIPAL POINT. A. US-NICARAGUAN RELATIONS--WE ARE INTERESTED IN

CONTINUED COOPERATIVE FRIENDLY RELATIONS WITH NICARAGUA. THE RECENT PROBLEMS IN OUR RELATIONS HAVE RESULTED NOT FROM THE U.S. HUMAN RIGHTS

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POLICY BUT RATHER FROM THE EXISTENCE OF SERIOUS HUMAN RIGHTS ABUSES IN NICARAGUA. WE WOULD HAVE BEEN VIOLATING NOT ONLY U.S. LAWN AND INTERNATIONAL OBLIGATIONS BUT ALSO OUR FUNDAMENTAL NATIONAL BELIEFS IF WE HAD NOT ATTEMPTED TO FORCEFULLY COMMUNICATE OUR CONCERN TO THE GON. WE ARE ENCOURAGED BY PRESIDENT SOMOZA'S ACKNOWLEDGEMENT OF PAST MISTAKES (E.G., THE EXCESSIVE DURATION OF MARTIAL LAW.) WE RECOGNIZE THERE HAVE BEEN RECENT IMPROVEMENTS. WE CONGRATULATE THE GON FOR THE LIFTING OF MARTIAL LAW, ISSUING ORDERS WHICH APPEAR TO HAVE SIGNIFICANTLY DECREASED THE MOST SERIOUS HUMAN RIGHTS ABUSES, AND FOR THE RECENT CABINET CHANGES WHICH, IN GENERAL, REFLECT FAVORABLY ON THE GON'S IMAGE. HOWEVER, THERE IS NOT INSTITUTIONAL IMPEDIMENT TO A RETURN TO PAST REPRESSIVE AND CORRUPT PRACTICES AND WE WILL CONTINUE TO BE CONCERNED ABOUT THAT EVENTUALITY AS LONG AS CONCRETE STEPS ARE NOT TAKEN TO ACCOUNT FOR PAST ABUSES, ATTEMPT TO ESTABLISH INDIVIDUAL RESPONSIBILITY, AND TO TAKE APPROPRIATE DISCIPLINARY ACTION. IN THIS REGARD WE BELIEVE THAT THE GON OUGHT TO CONSIDER INVITING THE IAHRC AND FACILITATING AN INVESTIGATION.

B. TERRORISM AND PRESSURES FOR CHANGE--WE RECOGNIZE THAT THERE IS A GUERRILLA REVOLUTIONARY MOVEMENT WHICH IS TAKING LIVES OF NATIONAL GUARDSMEN AND PROVOKING OTHER INCIDENTS WHICH LEAD TO FURTHER BLOODSHED. WE CONDEMN TERRORISM AND HAVE CONSISTENTLY SAID SO IN INTERNATIONAL FORA. HOWEVER, WE ALSO BELIEVE THE CONDITIONS WHICH HAVE FOMENTED THE GUERRILLAS' EXISTENCE FOR SO MANY YEARS IN NICARAGUA  
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AND HAVE RECENTLY GAINED INCREASING STUDENT AND OTHER SUPPORT HAVE BEEN MORE A RESULT OF FRUSTRATION WITH THE PROSPECT OF ACHIEVING CHANGES THROUGH PEACEFUL DEMOCRATIC PROCESSES THAN A RESULT OF CUBAN BACKING OF THE FSLN. WE BELIEVE MANY OF THE COMPLAINTS NOW BEING MADE AGAINST THE GON BY THE POLITICAL OPPOSITION REGARDING POTENTIAL OR REAL POLITICAL PERSECUTION OR HARASSMENT, LIMITED JUDICIAL RECOURSE, ARBITRARY TREATMENT IN POLICE COURTS, ETC., ARE VALID COMPLAINTS. IF GON WERE TO CONSTRUCTIVELY DISCUSS POSSIBLE CHANGES AND UNDERTAKE SOME REFORM MEASURES, WE BELIEVE THAT THIS WOULD NOT ONLY IMPROVE THE GON'S EXTERNAL IMAGE BUT ALSO CHANGE THE DOMESTIC CLIMATE SO AS TO UNDERCUT SUPPORT FOR EXTREMISM.

C. DEMOCRATIC CHANGE--WE HAVE STATED ON NUMEROUS OCCASIONS THAT WE ARE NOT TRYING TO PROMOTE THE DOWNFALL OR OVERTHROW OF ANY GOVERNMENT. IT IS OUR DESIRE TO SEE A RESURGENCE OF INSTITUTIONALIZED DEMOCRACY. IN THIS REGARD WE PERHAPS HAVE HIGHER HOPES IN LATIN AMERICA THAN ELSEWHERE BECAUSE OF THE HISTORICAL ADHERENCE OF THE COUNTRIES OF THIS HEMISPHERE TO DEMOCRATIC VALUES. AS PRESIDENT CARTER SAID DURING HIS RECENT TRIP, WE BELIEVE TRUE DEMOCRACY IS THE BEST SYSTEM OF GOVERNMENT FOR BRINGING FORTH THE CONSTRUCTIVE POTENTIAL OF ITS CITIZENS. IN THIS REGARD WE ARE VERY INTERESTED IN PRESIDENT SOMOZA'S VIEW OF NICARAGUA'S POLITICAL FUTURE FOLLOWING THE END OF HIS TERM IN 1981. THERE APPEARS TO US TO BE INCREASING

POLARIZATION IN NICARAGUA INTO PRO AND ANTI-SOMOZA FACTIONS. TRADITIONALLY NON-PARTISAN GROUPS SUCH AS THE PRIVATE SECTOR AND THE CATHOLIC CHURCH HAVE BECOME INCREASINGLY CONCERNED. IT APPEARS TO BE A SYMPTOM OF A SOCIETY WHICH HAS MATERIALLY AND SOCIALLY ADVANCED MORE RAPIDLY THAN THE POLITICAL SYSTEM HAS EVOLVED TO ACCOMMODATE INCREASED DEMANDS FOR GREATER PARTICIPATION. WE CONGRATULATE THE GON FOR ITS PAST RECORD OF HAVING PROVIDED THE CONDITIONS FOR SOCIO-ECONOMIC ADVANCE, BUT BELIEVE IT WILL BE CREDITED IN HISTORY FOR ITS ACCOMPLISHMENTS ONLY IF IT ALSO NOW PROVIDES FOR GREATER DEMOCRATIZATION TO ACCOMMODATE THE ASPIRATIONS OF ITS MOST TALENTED CITIZENS, WHATEVER THEIR POLITICS. IN THIS REGARD WE ARE, AND WILL CONTINUE TO BE, INTERESTED IN HOW THE GON ACCOMMODATES OR REPRESSES EXPRESSION OF POLITICAL OPPOSITION, ACCEPTS OR REJECTS PRESSURES FOR CHANGE, AND PROVIDES FOR OPEN AND HONEST DEMOCRATIC ELECTIONS OR  
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USES THE LEVERS OF POWER OF THE STATE TO ENSURE CONTINUATION OF THE STATUS QUO. THE SOMOZA FAMILY HAS MAINTAINED POWER IN NICARAGUA FOR OVER FORTY YEARS THROUGH CONTROL OF EITHER THE PRESIDENCY OR DIRECTION OF THE NATIONAL GUARD OR BOTH. RIGHTLY OR WRONGLY THIS IS INTERPRETED IPSO FACTO AS UNDEMOCRATIC. WE BELIEVE NICARAGUA IS READY FOR A TEST OF NON-SOMOZA MILITARY, GOVERNMENTAL, AND POLITICAL LEADERSHIP. THIS REQUIRES THAT THE SPIRIT AS WELL AS THE LETTER OF THE CONSTITUTION NOT BE SUBVERTED BY CONTINUED CONTROL OF THE NATIONAL GUARD BY MEMBERS OF THE SOMOZA FAMILY AFTER 1980. THERE REMAIN THREE YEARS TO PREPARE TO SUCH A TEST. IF PRESIDENT SOMOZA PROVIDES THE NECESSARY CONDITIONS FOR A TRUE TRANSFER OF POWER IN 1981, WE BELIEVE SOMOZA'S PLACE IN HISTORY WILL REFLECT ENLIGHTENED LEADERSHIP.

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S E C R E T SECTION 2 OF 2 MANAGUA 0080

EXDIS

FOR TODMAN FROM AMBASSADOR

D. MILITARY ASSISTANCE--WE BELIEVE THAT OUR MILITARY RELATIONSHIP HAS BEEN MUTUALLY BENEFICIAL. WE WOULD HOPE TO CONTINUE THAT RELATIONSHIP AND WOULD LIKE TO BE ABLE TO CONTRIBUTE TO INCREASED PROFESSIONALISM AND LESSENED PERSONALISM AND FAMILISM IN THE NATIONAL GUARD. HOWEVER, THERE ARE SERIOUS IMPEDIMENTS TO THAT PROGRAM WHEN THE NICARAGUAN MILITARY IS CONSIDERED BY MANY IN NICARAGUA AND THE US AS REPRESSIVE AND VIOLATORS OF HUMAN RIGHTS. WE RECOGNIZE THAT THERE HAS BEEN DISTORTION AND POLITICAL PROPAGANDA USED TO DISCREDIT THE GN, BUT THERE HAVE ALSO BEEN SERIOUS, DOCUMENTED INSTANCES OF ABUSE. IT SEEMS UNREALISTIC TO EXPECT THAT ATTITUDES WILL CHANGE RAPIDLY. THEREFORE, IT WILL PROBABLY BE SOME TIME BEFORE THE TRADITIONALLY CLOSE MILITARY RELATIONSHIP CAN BE RESTORED. FOR THIS REASON WE THINK IT WOULD BE APPROPRIATE FOR THE GN TO THINK IN TERMS OF DIRECTING ITS MILITARY PROCUREMENT POLICY VIS-A-VIS THE U.S. TOWARDS NON-LETHAL ITEMS, E.G. VEHICLES, COMMUNICATIONS EQUIPMENT, ETC BECAUSE WE DO VALUE OUR MILITARY RELATION WE WILL ATTEMPT TO BE AS FORTHCOMING AS POSSIBLE WITH REGARD TO SUCH MILITARY PURCHASE REQUIREMENTS OF THE GN.

E. ECONOMIC ASSISTANCE--REGARDING DEVELOPMENTAL ASSISTANCE, WE REMAIN COMMITTED TO CONTRIBUTING TO NICARAGUA'S ECONOMIC DEVELOPMENT AND HAVE FOUND OUR COLLABORATION WITH THE GON IN RURAL DEVELOPMENT TO BE A REWARDING PIONEERING EFFORT. HOWEVER, AS SHOULD BE VERY CLEAR, U.S. LAW SETS CONDITION ON U.S. ECONOMIC ASSISTANCE WITH  
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REGARD TO COMPLIANCE WITH INTERNATIONALLY ACCEPTED HUMAN RIGHTS STANDARDS AND HONESTY IN ADMINISTRATION OF FUNDS. THERE HAVE BEEN PROBLEMS IN THIS REGARD, BUT WE HOPE THAT THE FUTURE WILL BE INCREASINGLY LESS TROUBLESOME.

F. REGIONAL TRANQUILITY--WE ARE INTERESTED IN PEACE AND COOPERATIVE DEVELOPMENT IN CENTRAL AMERICA. WE SHARE THE CONCERN OF THE GON ABOUT THE POSSIBILITY OF CROSS-BORDER GUERRILLA OPERATIONS AND HAVE MADE OUR VIEWS KNOWN. WE ALSO OPPOSE INTERVENTION BY ONE STATE IN THE INTERNAL AFFAIRS OF NEIGHBORING COUNTRIES.

G. OTHER ISSUES--THERE ARE OTHER MATTERS WHICH CONSTITUTE MINOR IRRITANTS TO OUR RELATIONS WHICH ARE WORTH MENTIONING. FIRST, WE BELIEVE OUR PARTICIPATION IN THE MANAGUA EMERGENCY RECONSTRUCTION PROGRAM SHOULD BE COMPLETED WITHIN THE DEADLINES ESTABLISHED IN THE BILATERAL ASSISTANCE PROGRAM. TO DO SO, IT MAY BE NECESSARY TO FOCUS INCREASED EFFORTS ON SOME ASPECTS OF THE PROGRAM OR ELIMINATE OTHERS WHOSE ACHIEVEMENTS NOW APPEAR UNREALISTIC. SECONDLY, WE BELIEVE THAT OTHER THAN ECONOMIC CONSIDERATIONS MAY HAVE DIRECTED GON PROCUREMENT TOWARD FOREIGN SUPPLIERS. THE US IS INTERESTED IN FAIR TREAT-

MENT FOR ITS GOODS AND SERVICES. WITH THE RECENT CHANGES IN THE GON,

WE WOULD HOPE THAT PROCUREMENT POLICIES WOULD REFLECT FAIR ECONOMIC ASSESSMENT OF SOURCES OF SUPPLY FOR IMPORTS. ANOTHER POINT RELATES TO FAIR TREATMENT OF U.S. CITIZENS IN NICARAGUA WHETHER THEY BE INVESTORS OR PRIVATE CITIZENS. WE DO NOT ASK FOR PREFERENTIAL TREATMENT, BUT WHEN U.S. CITIZENS ARE JAILED THERE IS A NATURAL CONCERN IN THE U.S. WITH REGARD TO THE JUDICIAL SYSTEM AND WHETHER IT PROVES TO PROVIDE JUST TREATMENT IN A TIMELY FASHION. A CASE IN POINT IS THAT OF ARTHUR CHARITON WHO HAS BEEN IN JAIL FOR NEARLY EIGHT MONTHS WITHOUT HIS GUILT OR INNOCENCE HAVING BEEN ESTABLISHED.

2. WE ARE PREPARED TO DISCUSS THE ABOVE POINTS FURTHER WITH ASST. SECTY. TODMAN UPON HIS ARRIVAL BUT WOULD APPRECIATE RECEIVING RESPONSE FROM DEPT IF THERE ARE ANY PROBLEMS IN INCORPORATING THESE  
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IDEAS INTO TALKING POINTS FOR THE VISIT.

3. THE ISSUES OUTLINED ABOVE ALSO CONSTITUTE THE BULK OF THE ISSUES WHICH ARE LIKELY TO ARISE IN MEETINGS WITH THE POLITICAL OPPOSITION. HOWEVER, THERE IS AN IMPORTANT DIFFERENCE IN HOW THEY SHOULD BE DEVELOPED. WE STRONGLY BELIEVE DISCUSSIONS WITH THE OPPOSITION SHOULD BE FOCUSED ON US POLICY IN GENERAL REGARDING HUMAN RIGHTS AND CHANGE THROUGH DEMOCRATIC PROCEDURES AND HOW THAT POLICY APPLIES IN NICARAGUA. THE OPPOSITION SHOULD BE TOLD WE PREFER DEMOCRATIC SOLUTIONS TO POLITICAL PROBLEMS; NOT MILITARY COUPS OR REVOLUTIONARY VIOLENCE. JUST AS IT WOULD BE INAPPROPRIATE TO DISCUSS WITH THE OPPOSITION OUR REPRESENTATIONS TO PRESIDENT SOMOZA FOR COMMITMENTS FOR CHANGE, IT ALSO WOULD BE INAPPROPRIATE TO ATTEMPT TO COUNSEL THE POLITICAL OPPOSITION AS TO HOW IT SHOULD EXERT PRESSURE FOR CHANGE. TO DO OTHERWISE WOULD PLACE US IN THE POSITION OF DIRECTING RATHER THAN MERELY ENCOURAGING POLITICAL EVOLUTION. IT IS UNCLEAR AT THE PRESENT TIME WHETHER THE POLITICAL OPPOSITION CAN ORGANIZE RESPONSIBLY THE DISCONTENT WHICH EXISTS IN NICARAGUA IN ORDER TO PROMOTE MATURE POLITICAL CHANGE. THERE PRESENTLY IS WIDESPREAD DISTRUST OF THE INTENTIONS OF SOMOZA AS WELL AS PERSONALISTIC ANTI-PATHIES AMONG OPPOSITIONISTS. THE POLITICAL HISTORY OF NICARAGUA HAS LED MANY OPPOSITIONISTS TO LOOK TO THE U.S. TO SOLVE THEIR PROBLEMS. IT IS IMPORTANT TO AVOID REINFORCING THIS POLITICAL IMMaturity. INSTEAD WE SHOULD EMPHASIZE THAT U.S. POLICY FAVORS IMPROVED OBSERVANCE OF DEMOCRATIC PRACTICE. AS OBSERVERS OF CONDITIONS IN NICARAGUA, WE WILL BE LOOKING TO THE OPPOSITION TO TEST THE PREPAREDNESS OF SOMOZA TO PERMIT AN OPENING OF DEMOCRATIC PROCESSES IN THE "DIALOGUE" MOVEMENT AS WELL AS DURING THE INTERVENING PERIOD UP TO THE NEXT PRESIDENTIAL ELECTIONS. WE WILL BE OBSERVING WHETHER OPPOSITION POLITICIANS CAN OVERCOME THEIR POLITICAL DIFFERENCES, WHICH ONLY SERVE SOMOZA'S INTERESTS, AND CAN PRESENT THEIR COMMON CONCERNS IN A COMMON FRONT.  
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